

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SERGIO L. RAMIREZ, on behalf of himself and all others similarly situated,

Plaintiff,

V.

TRANS UNION, LLC,

Defendant.

Case No. 12 cv-00632-JSC

Class Action

**DECLARATION OF JOHN SOUMILAS, ESQUIRE
IN SUPPORT OF PLAINTIFF'S MOTION TO CERTIFY CLASS**

I, John Soumilas, declare as follows:

1. I am an attorney duly licensed to practice in the Commonwealth of Pennsylvania and the State of New Jersey.

2. I am one of the counsel of record for Plaintiff Sergio L. Ramirez in this matter after being admitted to practice *pro hac vice* by this Court on February 14, 2012 (Dkt. No 5), and have personal knowledge of the facts and circumstances of this matter.

3. Attached hereto as Exhibit 1 is a true and correct copy of select pages from the transcript of Michael O'Connell's deposition in the above matter taken on December 13, 2013. Mr. O'Connell was one of Defendant's corporate representatives pursuant to Fed. R. Civ. P. 30(b)(6).

4. Attached hereto as Exhibit 2 is a true and correct copy of select pages from the transcript of Robert Lytle's deposition in the above matter taken on December 13, 2012. Mr. Lytle was one of Defendant's corporate representatives pursuant to Fed. R. Civ. P. 30(b)(6).

5. Attached hereto as Exhibit 3 is a true and correct copy of the consumer report Defendant prepared about Plaintiff on February 27, 2011 and delivered to Dublin Nissan, Bates-labeled DUBLIN NISSAN 6 to DUBLIN NISSAN 7, produced in discovery in this matter.

6. Attached hereto as Exhibit 4 is a true and correct copy of select pages from the transcript of Brent Newman's deposition in the above matter taken on December 14, 2012. Mr.

1 Newman was the corporate representative of third party Accuity, Inc. pursuant to Fed. R. Civ. P.
2 30(b)(6).

3 7. Attached hereto as Exhibit 5 is a true and correct copy of a Trans Union document
4 entitled "OFAC Hit Analysis," Bates-labeled TU0009481 to TU0009487, produced in discovery in
this matter.

5 8. Attached hereto as Exhibit 6 is a true and correct copy of select pages of the
6 transcript of Plaintiff's deposition in the above matter taken on October 1, 2012.

7 9. Attached hereto as Exhibit 7 is a true and correct copy of the credit application
8 Plaintiff and his wife submitted to Dublin Nissan on February 27, 2011, Bates-labeled DUBLIN
9 NISSAN 2 to DUBLIN NISSAN 3, produced in discovery in this matter.

10 10. Attached hereto as Exhibit 8 is a true and correct copy of select pages of the
11 transcript of Annette Coito's deposition in the above matter taken on January 16, 2013. Ms. Coito
12 was the corporate representative pursuant to Fed. R. Civ. P. 30(b)(6) of Dublin Nissan, the car
dealership that purchased a Trans Union report on Plaintiff on February 27, 2011.

13 11. Attached hereto as Exhibit 9 is a true and correct copy of the affidavit of Piyush
14 Bhatia, Director of Information Security and Risk Management for DealerTrack, Inc.

15 12. Attached hereto as Exhibit 10 is a true and correct copy of the Trans Union consumer
16 report of Sandra Cortez which was at issue in *Cortez v. Trans Union, LLC*, 617 F.3d 688 (3d Cir.
17 2010).

18 13. Attached hereto as Exhibit 11 is a true and correct copy of Defendant's verified
19 Supplemental Interrogatory Responses, produced in discovery in this matter on July 18, 2013.
20 Exhibits thereto have been omitted, as they consist entirely of personal identifying information
pertaining to individual consumers.

21 14. Attached hereto as Exhibit 12 is a true and correct copy of Defendant's record of
22 Plaintiff's February 28, 2011 consumer file request, Bates-labeled TU000013, produced in
discovery in this matter.

23 15. Attached hereto as Exhibit 13 is a true and correct copy of the consumer file
24 disclosure that Defendant produced about Plaintiff on February 28, 2011, Bates-labeled
25 TU0000015 to TU0000023, produced in discovery in this matter.

26 16. Attached hereto as Exhibit 14 is a true and correct copy of the letter Defendant sent
27 to Plaintiff regarding OFAC data Defendant associated with Plaintiff, Bates-labeled RAMIREZ 7,
28 produced in discovery in this matter.

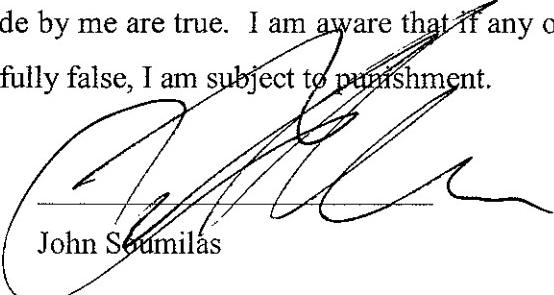
1 17. Attached hereto as Exhibit 15 is a true and correct copy of the first five pages of the
2 publically-available OFAC SDN list as of March 13, 2014.

3 18. Attached hereto as Exhibit 16 is a true and correct copy of Defendant's verified
4 Interrogatory Responses, produced in discovery in this matter on August 20, 2012.

5 19. Attached hereto as Exhibit 17 is a true and correct copy of the qualifications of
Francis & Mailman, P.C.

6 I certify that the foregoing statements made by me are true. I am aware that if any of the
7 foregoing statements made by me are willfully false, I am subject to punishment.

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9 Dated: March 14, 2014.

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